

BIAGIOTTI, MARINO & MONTECALLO
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Attorneys for: Defendant

UNITED STATES OF AMERICA,

UNITED STATES
DISTRICT COURT
DISTRICT OF
NEW JERSEY

Plaintiff,

vs.

HONORABLE
PETER J. SHERIDAN

CRIMINAL ORDER
07-492 (PGS)

JAMES PARK a/k/a KWANG JOON PARK,

CONTINUANCE ORDER

Defendant.

THIS MATTER having come before the Court on the joint application of James Park by Robert M. Biagiotti, Esq., of Biagiotti, Marino & Montecallo, P.C., and by Assistant United States Attorney Camelia M. Valdes, Esq., appearing for the United States of America, District of New Jersey for an Order granting a continuance of the proceedings in the above-captioned matter for a period of sixty (60) days to continue

discovery and plea negotiations and the defendant being aware that he has the right to have an Information or Indictment charging him with the commission of an offense within thirty (30) days of his arrest and also having a right to have this matter brought to trial within 70 days of the date on which an Indictment is filed against him pursuant to Title 18 of the United States Code, Section 3161(c)(1), and for good cause and sufficient cause shown;

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Discovery is ongoing;
2. The defendant needs additional time to review discovery and decide what, if any, motions to file;
3. Plea negotiations are in progress and both the United States and the defendant desire additional time to finalize the negotiations, which, if successful would render trial of this matter unnecessary;
4. Both parties have consented to the aforementioned continuance;
5. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice will be served by granting the continuance and outweighs the best interests of the public and the defendant in a speedy trial.

WHEREFORE, on this 16th day of February, 2009, 

IT IS ORDERED that the proceedings in the above-captioned matter are continued for sixty (60) days from February 11, 2009 to April 13, 2009, in order to permit the parties to finalize their plea negotiations; and

IT IS FURTHER ORDERED that the period between February 11, 2009 and April 13, 2009, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(4).

Peter M. Sheridan
HONORABLE PETER M. SHERIDAN
United States Magistrate Judge

Form and entry
consented to:

Camelia M. Valdes
CAMELIA M. VALDES, ESQ.

Assistant U. S. Attorney

Robert M. Biagiotti
ROBERT M. BIAGIOTTI, ESQ.
Attorney for James Park